

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CASAS, BENJAMIN & WHITE, LLC,)
)
Plaintiff,)
)
 vs.) No. 04-12333-MEL
)
THE POINTE GROUP, INC., a)
Massachusetts corporation d/b/a The Pointe)
Group Healthcare and Senior Living;)
GERALD S. FREID; BARRY FREID; and)
KEY CORPORATE CAPITAL, INC.,)
)
Defendants.

**ASSENTED-TO MOTION FOR FURTHER EXTENSION OF TIME TO RESPOND TO
KEY CORPORATE CAPITAL, INC.'S MOTION TO DISMISS**

Plaintiff Casas, Benjamin & White, LLC (“CBW”), hereby moves, with the assent of defendant Key Corporate Capital, Inc. (“Key Corporate”), for a further extension of time to respond to Key Corporate’s motion to dismiss. In support of this motion, CBW states as follows.

1. Key Corporate has filed a motion to dismiss all of CBW’s claims against it.
2. CBW’s opposition to this motion was originally due on December 27, 2004.

CBW moved for an extension of time to file its opposition to Key Corporate’s motion to dismiss to January 6, 2005. Key Corporate assented to the request for an extension.

3. CBW hereby moves for a further extension of time to file its opposition to Key Corporate’s motion to dismiss to January 7, 2005. Key Bank has assented to this further request for an extension.

WHEREFORE, Plaintiff Casas, Benjamin & White, LLC respectfully requests that this Court grant it a further extension of time to respond to Key Corporate's motion to dismiss until January 7, 2005.

CASAS, BENJAMIN & WHITE, LLC

By its attorneys,

/s/ Michael R. Bernardo

Thomas E. Peisch / BBO #393260
Erin K. Higgins / BBO #559510
Michael R. Bernardo / BBO #648310
CONN KAVANAUGH ROSENTHAL PEISCH
& FORD, LLP
Ten Post Office Square
Boston, MA 02109
(617) 482-8200

/s/ Richard P. Steinken (mrb)

Richard P. Steinken, admitted *pro hac vice*
Jeff J. Marwil, admitted *pro hac vice*
David W. Austin, admitted *pro hac vice*
JENNER & BLOCK, LLP
One IBM Plaza
Chicago, IL 60611-7603

Dated: January 7, 2005
Boston, Massachusetts
217512.1